

September 5, 1949

TO: All NAEB Members

FROM: Richard B. Hull, President

RE: NAEB Testimony and Membership Participation in Forthcoming Television Allocation Hearings Before the Federal Communications Commission

Inclosed is a copy of a statement prepared for the NAEB and filed August 26, 1949, by our attorney, Marcus Cohn of the Washington, D. C., legal firm of Cohn and Marks.

In essence NAEB is asking ten UHF television channels be set aside for education just as they were in the FM band. Hearing date for discussion of this and other statements in regard to the VHF and UHF television allocation plan of the FCC is scheduled for 10:00 AM Monday, September 26, at Washington, D. C., at a place to be later designated by the FCC.

Due to the large number of statements already filed, it is likely that the appearance of the National Association of Educational Broadcasters in this hearing will be later than September 26, 1949.

Thirty different institutions replied in response to the first NAEB letter, signifying their support of some action to reserve television channels for future educational use. Many presidents wrote directly to Wayne Coy, FCC Chairman.

It is unfortunate that educational institutions both in and out of the NAEB did not clearly understand what was involved in the forthcoming hearings. Frequently to appear before a federal commission in hearing it is sufficient merely to file notice of "intention to appear." In this television proceeding, however, it was necessary to simultaneously file both "intention to appear" and the "text of the intended argument."

Thus many national educational organizations wrote directly to Mr. Coy or sometime during the past year approved a resolution and sent it to the FCC under the illusion they were on record in the television matter. Technically this had the effect only of an informal opinion; and officially their statements, if so filed, are without validity in the current action unless they formally filed August 26.

To my knowledge only three major groups have officially filed for an appearance:

1. The National Association of Educational Broadcasters
2. The Association of Land Grant Colleges
3. The National Association of State Universities

Both of the latter agencies simply filed in support of the NAEB statement, but did by virtue of meeting the August 26 deadline have the force of independent filing. The National University Extension Association is appearing as an NAEB witness and co-testifier.

Our attorney, you will note, in Paragraph 13, last page of NAEB statement, provision has been made for calling as many witnesses as desired. I am advised unofficially from Washington that it is highly important we have as many witnesses as possible in order to make a strong psychological as well as rational impression on the FCC.

Therefore, please consider whether you or your president could make a supporting statement in terms of your own institution which would specify in your region how the general NAEB statement would apply--and advise me whether or not you can make such an appearance. Detail will then be furnished on how many copies of a statement need to be prepared, in what form, etc.

- NOTE:
1. This same "Paragraph 13" will permit other organizations such as the National Education Association or any similar body to appear as a witness with NAEB and thus to get on record in the hearing regardless of whether or not they have previously filed.
 2. The NAEB testimony date is September 26 but will likely be much later.
 3. The U. S. Office of Education has now officially and separately filed with another plan for educational TV.

Scanned from the National Association of Educational Broadcasters Records
at the Wisconsin Historical Society as part of
"Unlocking the Airwaves: Revitalizing an Early Public and Educational Radio Collection."



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